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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/641,769

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Haimian Cai

10541-1781

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7590

11/01/2006

AUTOMOTIVE COMPONENTS HOLDINGS LLC
C/O MACMILLAN, SOBANSKI & TODD, LLC
ONE MARITIME PLAZA, FIFTH FLOOR
720 WATER STREET
TOLEDO, OH 43604-1853

EXAMINER

DUNN, DAVID R

ART UNIT

PAPER NUMBER

3616

DATE MAILED: 11/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/641,769	Applicant(s) CAI ET AL.	
	Examiner David Dunn	Art Unit 3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) 2,3,5,8-13,16,17,19,20,28 and 29 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4,14,15,18,21-23,26 and 27 is/are rejected.
- 7) ☒ Claim(s) 6,7,24 and 25 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office Action is responsive to the amendment filed August 16, 2006.

Election/Restrictions

1. Claims 2, 3, 5, 8-13, 16, 17, 19, 20, 28, and 29 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim; as discussed in the prior office action(s).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 4, and 21-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Barry (US 6,851,688).

Barry discloses a vehicle comprising: a body (42; see Figure 4) being formed with a cylindrical outer surface; and an end link (22a) secured to a second end (42b) of the body, the end link having a bore including a concave inner support surface; and a spherical bearing (36) formed from material other than the first material of the body, including a convex spherical outer surface, and a cylindrical opening extending through the bearing, the cylindrical outer surface of

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the body being located in the opening and secured to the end link. The end link is secured to the body by a device (48) that frictionally engages an outer surface of the body.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 21, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hynds et al. (US 5,186,486) in view of Kluting (US 5,501,421).

Hynds et al. discloses a stabilizer bar comprising: a body (10; Figure 1); and end link (22); and a bearing (see 54; Figure 3).

Hynds et al. fails to show the link having a concave inner support and the bearing having a convex outer surface.

Kluting teaches a vehicle bar support comprising a spherical bearing (5) having a convex outer surface and a link (1) having a concave inner support surface (on 7); the bearing being located on a body.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hynds et al. with the teachings of Kluting to provide the a curved bearing surface in order to provide a connection with additionally flexibility that could better withstand various rotational forces.

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6. Claims 14, 15 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hynds et al. and Kluting, and further in view of Hynds (5,064,216).

The combination of Hynds et al. and Kluting is discussed above but fails to show the bearing by a polymeric material.

Hynds discloses a stabilizer bar and end link (10) with a spherical bearing (24), the bearing being formed of a polymeric material (see column 2, lines 41-45).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Hynds et al. and Kluting with the teachings of Hynds to provide the bearing of a polymeric material in order to provide an old and well known, light-weight and durable material.

7. Claims 14, 15 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barry in view of Hynds (5,064,216).

Barry is discussed above but fails to show the bearing by a polymeric material.

Hynds discloses a stabilizer bar and end link (10) with a spherical bearing (24), the bearing being formed of a polymeric material (see column 2, lines 41-45).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Barry with the teachings of Hynds to provide the bearing of a polymeric material in order to provide an old and well known, light-weight and durable material.

8. Claims 18 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hynds et al. in view of Kluting, and further in view of Wolf et al. (US 6,363,613).

The combination of Hynds et al. and Kluting is discussed above but fails to show the bearing secured with an adhesive.

Wolf et al. teaches a stabilizer bar (13) with a bearing (9) secured to the bar with an adhesive (12).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Hynds et al. and Kluting with the teachings of Wolf et al. to provide an adhesive to better secure the bearing to the stabilizer bar.

Allowable Subject Matter

9. Claims 6, 7, 24, and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

10. Applicant's arguments filed August 16, 2006 have been fully considered but they are not persuasive.

On page 7, Applicant argues that claim 1 recites "... with a cylindrical surface"; however, neither the tie rod nor drag link of the '688 patent "is formed with a spherical surface". It appears that applicant is arguing the limitation of claim 1 that recites that the body is formed with "a circular cylindrical outer surface". In response, it is noted that this portion of the claim does not refer to a "spherical surface". Secondly, Barry shows a "body" (42) formed with a cylindrical outer surface (see location of 42 in Figure 4).

Applicant then argues that the Barry patent has "an inverted arrangement from the stabilizer bar defined by claim 1". Applicant states that the end link 22 has a spherical surface;

however, in Figure 4, the end link 22a clearly has a “concave spherical inner support surface”.

The examiner maintains that this rejection is proper as Barry shows all of the claimed limitations.

On pages 7-8, Applicant argues the 103 rejection of Hynds ('486) in view of Kluting. Applicant notes that the Hynds patent does not have a spherical bearing. The Office Action mistakenly labeled the bearing spherical, it should not have included the word “spherical.” The rejection is proper as the Kluting reference was used to show the teaching of the spherical bearing.

Applicant argues that Kluting has a bearing raceway interposed between the bore and the spherical surface. In response, it is noted that Kluting shows the features as claimed; the fact that it discloses additionally structure not claimed is immaterial. The raceway 6 is considered part of the link, which therefore shows the concave inner support surface.

Applicant's arguments with respect to claims 4, 6, 7, and 23-25 have been fully considered and are persuasive; this rejection has been withdrawn.

Applicant's additional arguments on pages 9-10 have been considered, however these remarks do not appear to include new arguments and only refer back to previous rejections which are discussed above.

Conclusion

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

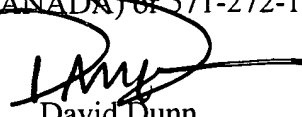
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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Dunn whose telephone number is 571-272-6670. The examiner can normally be reached on Mon-Fri, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on 571-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


David Dunn
Primary Examiner
Art Unit 3616